## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

AFRICAN COMMUNITIES TOGETHER, et al.,	) )
Plaintiffs,	)
v.	) Civil Action No. 19-10432 (TSH)
DONALD J. TRUMP, President of the United States, et al.,	) ) )
Defendants.	) ) )

## MOTION TO DISMISS THE AMENDED COMPLAINT

Defendants Donald J. Trump, President of the United States; United States Department of Homeland Security; and Kevin McAleenan, Acting Secretary of Homeland Security, respectfully move the Court to dismiss Plaintiffs' Amended Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). This motion is accompanied by a memorandum of law and exhibits.

Respectfully submitted,

JOSEPH H. HUNT Assistant Attorney General

JOHN TYLER Assistant Branch Director, Federal Programs Branch

JOSHUA KOLSKY
Trial Attorney
D.C. Bar No. 993430
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW Washington, DC 20005

Tel.: (202) 305-7664 Fax: (202) 616-8470

/s/\_Joshua Kolsky\_

E-mail: joshua.kolsky@usdoj.gov

Attorneys for Defendants

## **LOCAL RULE 7.1 CERTIFICATION**

Pursuant to Local Rule 7.1(a)(2), counsel for Defendants conferred with counsel for Plaintiffs about this Motion. Plaintiffs' counsel stated that they will oppose this Motion.

/s/ Joshua Kolsky Joshua Kolsky

## **Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on July 1, 2019.

/s/ Joshua Kolsky Joshua Kolsky